

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**FIRST SECURITY BANK,
AS TRUSTEE**

PLAINTIFF

V.

CAUSE NO. 3:10-cv-00240-DPJ-FKB

**O&G LEASING, LLC,
PERFORMANCE DRILLING
COMPANY, LLC, SAJAC O&G INVESTORS, LLC,
OCTANE FUNDING, LLC,
AND OCTANE FUNDING II, LLC**

DEFENDANTS

**AGREED ORDER REFERRING CASE TO
BANKRUPTCY COURT**

Based upon the Rule 12(b)(6) Motion to Dismiss or, in the alternative, Motion to Refer this matter to the Bankruptcy Court [Doc. 13] filed by Defendants Sajac O&G Investors, LLC, Octane Funding, LLC, and Octane Funding II, LLC, and the Response of the Plaintiff [Doc. 16], First Security Bank, as Trustee, the Court is of the opinion that this case should be referred to the United States Bankruptcy Court for the Southern District of Mississippi in the matter of *In Re O&G Leasing, LLC, et al.*, case number 10-01851 on the docket of the Bankruptcy Court, for further proceedings.

IT IS THEREFORE ORDERED AND ADJUDGED that this case is referred to the United States Bankruptcy Court for the Southern District of Mississippi.

IT IS FURTHER ORDERED AND ADJUDGED that said Defendants' Motion to Dismiss pursuant to Rule 12(b)(6) is denied without prejudice.

SO ORDERED AND ADJUDGED this the 16th day of July, 2010.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE

Approved and agreed to:
Sajac O&G Investors, LLC, Octane Funding, LLC
And Octane Funding II, LLC

By: /s/ E. Stephen Williams
Their Attorney

First Security Bank, as Trustee

By: /s/ Jim F. Spencer, Jr.
Its Attorney